

DISPUTE SETTLEMENT BODY

Annual Report (2001)¹

The present report has been prepared in pursuance of the Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO (WT/L/105), and sets out the actions taken by the Dispute Settlement Body (DSB) in the period since its previous annual report.²

In carrying out its task, the DSB has held 18 meetings since the period covered by the previous report. The minutes of these meetings, which remain the record of the DSB's work, are contained in documents WT/DSB/M/93 – WT/DSB/M/110³ and should be read in conjunction with this report.

The following subjects are included in the report:

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¹ The Overview of the State of Play of WTO Disputes since 1 January 1995 to 31 August 2001 prepared by the Secretariat on its own responsibility is included, for practical purposes, in an Addendum to this report.

² WT/DSB/21 and Add.1.

³ The present report includes meetings of the DSB covering the period from 28 November 2000 to 25 September 2001.

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1. Election of Chairperson (WT/DSB/M/99)

At its meeting on 16 February 2001, the DSB elected by acclamation Mr. Roger Farrell (New Zealand) as Chairman of the body.

2. Appointment of Appellate Body members (WT/DSB/M/101, 103, 106, 110)

At the DSB meeting on 12 March 2001, the Chairman made a statement concerning a time-frame for the appointment of three Appellate Body members and proposed that the DSB revert to this matter.

The DSB took note of the statement and agreed to revert to this matter at its next regular meeting.

At the DSB meeting on 5 April 2001, the Chairman proposed the following time-frame for the selection process for Appellate Body members: (i) nominations for the Appellate Body should be submitted to the Director-General from 17 April 2001 with the deadline closing on 29 June 2001; (ii) the Selection Committee's work is expected to commence from 2 July 2001; and (iii) the decision by the DSB on the appointees would ideally be made soon after the northern summer break.

The representatives of the United States, Australia, Japan, Venezuela, European Communities, India, Chile and the Chairman spoke.

The DSB took note of the statements and agreed to the time-frame proposed by the Chairman.

At the DSB meeting on 20 June 2001, the Chairman recalled that the deadline for submission of candidates for Appellate Body members had been set by the DSB as closing on 29 June 2001.

The DSB took note of this information.

At its meeting on 25 September 2001, the DSB agreed to the recommendation of the Selection Committee to appoint the following persons: (i) Mr Luiz Olavo Baptista (Brazil); (ii) Mr John S. Lockhart (Australia); and (iii) Mr Giorgio Sacerdoti (the European Communities) as members of the Appellate Body for four years, as from the date to be fixed in the near future on which their contracts will commence.

The representatives of Australia, Brazil, European Communities, Chile, India, Thailand, Jamaica, also on behalf of GRULAC countries as well as the representatives of Malaysia, Canada, United States, Colombia and the Chairman spoke.

The DSB took note of the statements.

3. Remuneration of Appellate Body members (WT/DSB/M/101, 106)

At the DSB meeting on 12 March 2001, the Chairman made a statement on the question of the conditions of employment of the Appellate Body members and proposed that the matter be considered at a subsequent DSB meeting.

The representatives of Norway and Japan spoke.

The DSB took note of the statements.

At the DSB meeting on 20 June 2001, delegations had an exchange of views on the subject of remuneration of Appellate Body members. In light of the fact that there was no consensus, the Chairman proposed that the DSB might revert to this matter at a later date.

The representatives of Malaysia, Canada, Japan, European Communities, India, Chile, Brazil, United States and Hong Kong, China spoke.

The DSB took note of the statements and agreed to potentially revert to this matter at a later date.

4. Indicative list of governmental and non-governmental panelists (WT/DSB/M/94, 98, 105 and Corr.1, 106)

At its meeting on 12 December 2000, the DSB approved the names contained in document WT/DSB/W/150 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

At its meeting on 1 February 2001, the DSB approved the names contained in document WT/DSB/W/155 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

At its meeting on 16 May 2001, the DSB approved the name contained in document WT/DSB/W/163 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

At its meeting on 20 June 2001, the DSB approved the name contained in document WT/DSB/W/165 proposed for inclusion of the indicative list, in accordance with Article 8.4 of the DSU.

5. Timing of notification of third-party interest in panel proceedings (WT/DSB/M/100, 101)

At the DSB meeting on 1 March 2001, the Chairman proposed that the item entitled "Timing of Notification of Third-Party Interest in Panel Proceedings" be inscribed on the agenda of the next regular DSB meeting.

The DSB so agreed.

At the DSB meeting on 12 March 2001, delegations had an exchange of views on the Secretariat's note contained in JOB(01)/25 dealing with the question of timing of notification of third-party interest in panel proceedings.

The representatives of Mexico, United States, Nicaragua, Australia, Canada, Colombia, Saint Lucia, Malaysia, European Communities, Chile, Bulgaria, Hong Kong, China and the Chairman spoke.

The DSB took note of the statements.

6. Adoption of the 2001 draft Annual Report of the DSB (WT/DSB/M/110)

At its meeting on 25 September 2001, the DSB agreed to adopt the draft Annual Report contained in WT/DSB/W/170 and Add.1 on the understanding that it would be further updated by the Secretariat under its own responsibility in order to include actions taken by the DSB at the 25 September meeting.

The representatives of Ecuador, the European Communities and the Chairman spoke.

The DSB took note of the statements.

7. Recourse to dispute settlement procedures

(a) Argentina

(i) *Measures affecting the export of bovine hides and the import of finished leather (WT/DSB/M/99, 101)*

In July 1999⁴, the DSB established a panel to examine the complaint by the European Communities with regard to Argentina's measures affecting the export of bovine hides and the import of finished leather.

At its meeting on 16 February 2001, the DSB considered the Panel Report contained in WT/DS155/R and Corr.1 pertaining to the complaint by the European Communities.

The representatives of the European Communities, Argentina and the United States spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS155/R and Corr.1.

At the DSB meeting on 12 March 2001, the representative of Argentina informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations on this matter.

The representative of the European Communities spoke.

The DSB took note of the statements and of the information provided by Argentina regarding its intentions in respect of implementation of the DSB's recommendations.

(b) Belgium

(i) *Administration of measures establishing customs duties for rice (WT/DSB/M/98, 101)*

At its meeting on 1 February 2001, the DSB considered a request by the United States to examine Belgium's measures relating to the imposition of customs duties on imports of US rice (WT/DS210/2 and Rev.1).

⁴ WT/DSB/M/65.

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 12 March 2001, the DSB again considered this matter.

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representative of India reserved third-party rights to participate in the Panel's proceedings.⁵

(c) Brazil

(i) *Export financing programme for aircraft (WT/DSB/M/94, 98, 99, 108)*

At the DSB meeting on 12 December 2000, the representative of Brazil informed the DSB that his country had put into force new regulations for its PROEX programme in order to comply with the recommendations and rulings of the Article 21.5 compliance panel and the Appellate Body pertaining to this case.

The representatives of Canada and the European Communities spoke.

The DSB took note of the statements.

Also at its meeting on 12 December 2000, the DSB considered a request by Canada for authorization to take appropriate countermeasures against Brazil pursuant to Article 4.10 of the SCM Agreement and Article 22.7 of the DSU (WT/DS46/25).

The representatives of Canada, Brazil, Japan, European Communities, Philippines, Australia, United States and the Chairman spoke.

The DSB took note of the statements and pursuant to Canada's request under Article 22.7 of the DSU and Article 4.10 of the SCM Agreement contained in document WT/DS46/25, dated 1 December 2000, agreed to grant authorization to suspend the application to Brazil of tariff concessions or other obligations consistent with the Arbitrators' decision contained in document WT/DS46/ARB.

At its meeting on 1 February 2001, the DSB considered a request by Canada under Article 21.5 of the DSU to examine Brazil's latest revisions to its PROEX programme (WT/DS46/26).

The representatives of Canada, Brazil, Japan, United States, European Communities, Argentina and Uruguay spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 16 February 2001, the DSB again considered this matter.

⁵ After the meeting Japan reserved its third-party rights to participate in the Panel's proceedings.

The representatives of Canada, Brazil, Japan, Malaysia, European Communities, Australia, Hong Kong, China and the Chairman spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel, if possible, the matter raised by Canada in document WT/DS46/26. It was agreed that the Panel would have standard terms of reference.

At its meeting on 23 August 2001, the DSB considered the Panel Report contained in WT/DS46/RW/2 pertaining to the second recourse by Canada to Article 21.5 of the DSU.

The representatives of Brazil, Canada, United States and the European Communities spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS46/RW/2.

(ii) *Measures affecting patent protection (WT/DSB/M/97, 98)*

At its meeting on 19 January 2001, the DSB considered a request by the United States for the establishment of a panel to examine Brazil's measures affecting patent protection (WT/DS199/3).

The representatives of the United States and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 1 February 2001, the DSB again considered this matter.

The representatives of the United States and Brazil spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of the Dominican Republic, Honduras, India and Japan reserved their third-party rights to participate in the Panel's proceedings.

(d) Canada

(i) *Certain measures affecting the automotive industry (WT/DSB/M/101)*

At the DSB meeting on 12 March 2001, the representative of Canada informed the DSB that his country had complied with the DSB's recommendations in this case.

The representative of Japan spoke.

The DSB took note of the statements.

(ii) *Export credits and loans guarantees for regional aircraft (WT/DSB/M/101)*

At its meeting on 12 March 2001, the DSB considered a request by Brazil for the establishment of a panel to examine its complaint with regard to Canada's financing programmes used in relation to exports of regional jets (WT/DS222/2).

The representatives of Brazil and Canada spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the accelerated procedures pursuant to Article 4.4 of the SCM Agreement, with standard terms of reference.

The representatives of the European Communities, India and the United States reserved their third-party rights to participate in the Panel's proceedings.⁶

(iii) *Measures affecting the importation of milk and the exportation of dairy products (WT/DSB/M/100)*

At its meeting on 1 March 2001, the DSB considered a request by the United States under Article 21.5 of the DSU (WT/DS103/16) and a request by New Zealand under Article 21.5 of the DSU (WT/DS113/16) to examine Canada's implementation of the DSB's recommendations on this matter.

The representatives of the United States, New Zealand, Canada, Australia, Mexico, Uruguay, European Communities and Hong Kong, China spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel, if possible, the matter raised by the United States in document WT/DS103/16 and the matter raised by New Zealand in document WT/DS113/16. It was confirmed that this would be a single Panel addressing both matters. The Panel would have standard terms of reference.

The representatives of the European Communities and Mexico reserved their third-party rights to participate in Panel's proceedings.⁷

Also at its meeting on 1 March 2001, the DSB considered a request by the United States under Article 22.2 of the DSU (WT/DS103/17) and a request by New Zealand under Article 22.2 of the DSU (WT/DS113/17) for authorization to suspend the application to Canada of tariff concessions and related obligations under the GATT 1994.

The representatives of the United States, New Zealand and Canada spoke.

The DSB took note of the statements and it was agreed that the respective matters raised by Canada in documents WT/DS103/18 and WT/DS113/18 are referred to arbitration, as required by Article 22.6 of the DSU.

(iv) *Measures supporting exports of aircraft (WT/DSB/M/98)*

At the DSB meeting on 1 February 2001, the representative of Brazil expressed his country's concern about Canada's intention to grant export subsidies to its regional aircraft. He said that Brazil requested consultations with Canada on this matter.

The representatives of Canada and Paraguay spoke.

The DSB took note of the statements.

⁶ After the meeting Australia reserved its third-party rights to participate in the Panel's proceedings.

⁷ After the meeting Australia reserved its third-party rights to participate in the Panel's proceedings.

(v) *Term of patent protection (WT/DSB/M/107)*

At the DSB meeting on 24 July 2001, the representative of Canada announced that his country had completed the implementation of the DSB's recommendations in this case.

The representative of the United States spoke.

The DSB took note of the statements.

(e) Chile

(i) *Measures affecting the transit and importation of swordfish (WT/DSB/M/94)*

At its meeting on 12 December 2000, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to Chile's measures affecting the transit and importation of swordfish (WT/DS193/2).

The representatives of the European Communities and Chile spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Australia, Canada, Ecuador, Iceland, India, Norway and the United States reserved their third-party rights to participate in the Panel's proceedings.

(ii) *Price band system and safeguard measures relating to certain agricultural products (WT/DSB/M/98, 101)*

At its meeting on 1 February 2001, the DSB considered a request by Argentina for the establishment of a panel to examine its complaint with regard to Chile's price band system and safeguard measures relating to certain agricultural products (WT/DS207/2).

The representatives of Argentina and Chile spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 12 March 2001, the DSB again considered this matter.

The representatives of Argentina, Chile and Brazil spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Colombia, Costa Rica, European Communities, Guatemala, Honduras, Japan, Nicaragua, Paraguay and the United States reserved their third-party rights to participate in the Panel's proceedings.⁸

⁸ After the meeting Australia, Brazil, Ecuador, El Salvador and Venezuela reserved their third-party rights to participate in the Panel's proceedings.

(f) Egypt

(i) *Definitive anti-dumping measures on steel rebar from Turkey (WT/DSB/M/105 and Corr.1, 106)*

At its meeting on 16 May 2001, the DSB considered a request by Turkey for the establishment of a panel to examine its complaint with regard to Egypt's definitive anti-dumping measures on steel rebar from Turkey (WT/DS211/2 and Corr.1).

The representatives of Turkey and Egypt spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 20 June 2001, the DSB again considered this matter.

The representatives of Turkey and Egypt spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Chile, European Communities, Japan and the United States reserved their third-party rights to participate in the Panel's proceedings.

(g) European Communities

(i) *Anti-dumping duties on imports of cotton-type bed linen from India (WT/DSB/M/101, 103, 108)*

In October 1999⁹, the DSB established a panel to examine the complaint by India with regard to the EC's anti-dumping duties on imports of cotton-type bed linen from India. In December 2000, the European Communities notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 12 March 2001, the DSB considered the Appellate Body Report contained in WT/DS141/AB/R and the Panel Report contained in WT/DS141/R pertaining to the complaint by India.

The representatives of India, European Communities, Egypt, United States, Japan, Canada, Brazil and Hong Kong, China spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS141/AB/R and the Panel Report contained in WT/DS141/R, as modified by the Appellate Body Report.

At the DSB meeting on 5 April 2001, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representatives of India and Egypt spoke.

⁹ WT/DSB/M/70.

The DSB took note of the statements and the information provided by the European Communities regarding its intentions in respect of implementation of the DSB's recommendations.

At the DSB meeting on 23 August 2001, India made a statement with regard to the implementation by the European Communities of the DSB's recommendations in this case.

The representatives of India and the European Communities spoke.

The DSB took note of the statements.

- (ii) *Anti-dumping duties on malleable cast iron tube or pipe fittings from Brazil (WT/DSB/M/106, 107)*

At its meeting on 20 June 2001, the DSB considered a request by Brazil for the establishment of a panel to examine EC's anti-dumping duties on malleable cast iron tube or pipe fittings from Brazil (WT/DS219/2).

The representatives of Brazil and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 24 July 2001, the DSB again considered this matter.

The representatives of Brazil and the European Communities spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Chile, Japan and the United States reserved their third-party rights to participate in the Panel's proceedings.¹⁰

- (iii) *Measures affecting asbestos and asbestos-containing products (WT/DSB/M/103)*

In November 1998¹¹, the DSB established a panel to examine the complaint by Canada with regard to the EC's measures affecting asbestos and products containing asbestos. In October 2000, Canada notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 5 April 2001, the DSB considered the Appellate Body Report contained in WT/DS135/AB/R and the Panel Report contained in WT/DS135/R and Add.1 pertaining to the complaint by Canada.

The representatives of the European Communities, Canada, Brazil, United States, Japan, Mexico, Switzerland, India, Philippines and Hong Kong, China spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS135/AB/R and the Panel Report contained in WT/DS135/R and Add.1, as modified by the Appellate Body Report.

¹⁰ After the meeting Mexico reserved its third-party rights to participate in the Panel's proceedings.

¹¹ WT/DSB/M/51.

(iv) *Trade description of sardines (WT/DSB/M/106, 107)*

At its meeting on 20 June 2001, the DSB considered a request by Peru for the establishment of a panel to examine its complaint with regard to European Communities' trade description of sardines (WT/DS231/6).

The representatives of Peru and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 24 July 2001, the DSB again considered this matter.

The representatives of Peru and the European Communities spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Canada, Chile, Colombia, Ecuador, United States and Venezuela reserved their third-party rights to participate in the Panel's proceedings.

(h) Guatemala

(i) *Definitive anti-dumping measures on grey Portland cement from Mexico (WT/DSB/M/94)*

At the DSB meeting on 12 December 2000, the representative of Guatemala informed the DSB, in accordance with Article 21.3 of the DSU, that her country had implemented the DSB's recommendations on this matter.

The representative of Mexico spoke.

The DSB took note of the statements and of the information provided by Guatemala regarding its implementation of the DSB's recommendations.

(i) Japan

(i) *Measures affecting agricultural products (WT/DSB/M/110)*

At the DSB meeting on 25 September 2001, the representative of Japan announced that his country had reached a mutually satisfactory solution with the United States with respect to conditions for lifting of import restrictions on eight products at issue, including apples.

The representatives of the United States, Australia, European Communities and Hungary spoke.

The DSB took note of the statements.

(j) Korea

(i) *Measures affecting imports of fresh, chilled and frozen beef (WT/DSB/M/96, 98, 110)*

In May 1999¹², the DSB agreed to establish a panel to examine the complaint by the United States with regard to Korea's measures affecting imports of fresh, chilled and frozen beef. In July 1999¹³, the DSB agreed to Australia's request for the establishment of a panel on the same matter. It also agreed that, as provided for in Article 9 of the DSU, the Panel established in May 1999 to examine the US complaint will also examine Australia's complaint. In September 2000, Korea notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 10 January 2001, the DSB considered the Appellate Body Report contained in WT/DS161/AB/R – WT/DS169/AB/R and the Panel Report contained in WT/DS161/R – WT/DS169/R pertaining to the complaints by the United States and Australia respectively.

The representatives of Australia, United States, Canada, New Zealand, Korea and the European Communities spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS161/AB/R – WT/DS169/AB/R and the Panel Report contained in WT/DS161/R – WT/DS169/R, as modified by the Appellate Body Report.

At the DSB meeting on 1 February 2001, the representative of Korea informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representatives of the United States and Australia spoke.

The DSB took note of the statements and of the information provided by Korea regarding its intentions in respect of implementation of the DSB's recommendations.

At the DSB meeting on 25 September 2001, the representative of Korea announced that on 10 September 2001 his country had implemented the DSB's recommendations in this case.

The representatives of Australia, United States, New Zealand and Canada spoke.

The DSB took note of the statements.

(k) Mexico

(i) *Measures affecting telecommunications services (WT/DSB/M/94)*

At its meeting on 12 December 2000, the DSB considered a request by the United States for the establishment of a panel to examine Mexico's measures affecting telecommunications services (WT/DS204/2).

The representatives of the United States and Mexico spoke.

The DSB took note of the statements and agreed to revert to this matter.

¹² WT/DSB/M/62.

¹³ WT/DSB/M/65.

(l) Peru

(i) *Taxes on cigarettes (WT/DSB/M/105 and Corr.1, 106)*

At its meeting on 16 May 2001, the DSB considered a request by Chile for the establishment of a panel to examine Peru's taxes on cigarettes (WT/DS227/2).

The representatives of Chile and Peru spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 20 June 2001, the DSB again considered this matter.

The representatives of Chile and Peru spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

(m) Philippines

(i) *Measures affecting trade and investment in the motor vehicle sector (WT/DSB/M/102, 103)*

At the DSB meeting on 20 March 2001, the representative of the United States recalled that at the 17 November 2000 DSB meeting, her country had decided not to proceed with the composition of the panel to examine this matter because it wished to continue its discussions with the Philippines. She said that the United States would report on the results of its discussions at the next regular meeting.

The representative of the Philippines spoke.

The DSB took note of the statements.

At the DSB meeting on 5 April 2001, the representative of the Philippines informed the DSB that the United States had decided to proceed with the composition of the Panel which had been suspended on 17 November 2000. He believed that it was possible that some Members who had wished to become third parties had not done so at the 17 November DSB meeting. He therefore proposed that the Chairman announce that delegations could still reserve their third-party rights within the next 10 days.

The representatives of the United States, Mexico, European Communities, Hong Kong, China and the Chairman spoke.

The DSB took note of the statements.

(n) Thailand

(i) *Anti-dumping duties on angles, shapes and sections of iron or non-alloy steel and H-beams from Poland (WT/DSB/M/103, 104)*

In November 1999¹⁴, the DSB established a panel to examine the complaint by Poland with regard to Thailand's anti-dumping duties on angles, shapes and sections of iron or non-alloy steel and

¹⁴ WT/DSB/M/71.

H-beams from Poland. In October 2000, Thailand notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 5 April 2001, the DSB considered the Appellate Body Report contained in WT/DS122/AB/R and the Panel Report contained in WT/DS122/R pertaining to the complaint by Poland.

The representatives of Poland, Thailand, Philippines, India, Mexico, United States and Hong Kong, China spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS122/AB/R and the Panel Report contained in WT/DS122/R, as modified by the Appellate Body Report.

At the DSB meeting on 26 April 2001, the representative of Thailand informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representative of Poland spoke.

The DSB took note of the statements and of the information provided by Thailand regarding its intentions in respect of implementation of the DSB's recommendations.

(o) Turkey

(i) *Restrictions on imports of textile and clothing products (WT/DSB/M/102, 107)*

At its meeting on 20 March 2001, the DSB considered the agreement between India and Turkey on the procedures under Articles 21 and 22 of the DSU in the follow-up to the case on "Turkey – Restrictions on Imports of Textile and Clothing Products" (WT/DS34/13).

The representatives of India, Turkey and Hong Kong, China spoke.

The DSB took note of the statements and of the agreed procedures between India and Turkey under Articles 21 and 22 of the DSU contained in document WT/DS34/13.

At the DSB meeting on 24 July 2001, the representative of Hong Kong, China noted that India and Turkey had reached a mutually agreed solution in this case and said that his country wished to be informed of Turkey's implementation plan.

The representative of Turkey spoke.

The DSB took note of the statements.

(p) United States

(i) *Anti-Dumping Act of 1916 (WT/DSB/M/107)*

At its meeting on 24 July 2001, the DSB considered the US proposal to extend the reasonable period of time for implementation by the United States of the DSB's recommendations in this case until the end of the current session of the US Congress or 31 December 2001, whichever is earlier (WT/DS136/13 – WT/DS162/16).

The representatives of the United States, European Communities, Japan, Mexico, India and the Philippines spoke.

The DSB took note of the statements and agreed to the US proposal contained in document WT/DS136/13 – WT/DS162/16.

(ii) *Anti-dumping and countervailing measures on steel plate from India (WT/DSB/M/106, 107)*

At its meeting on 20 June 2001, the DSB considered a request by India for the establishment of a panel to examine its complaint with regard to US anti-dumping and countervailing measures on steel plate from India (WT/DS206/2).

The representatives of India and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 24 July 2001, the DSB again considered this matter.

The representatives of India and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Chile, European Communities and Japan reserved their third-party rights to participate in the Panel's proceedings.

(iii) *Anti-dumping measures on certain hot-rolled steel products from Japan (WT/DSB/M/108, 109)*

In March 2000¹⁵, the DSB established a panel to examine the complaint by Japan with regard to US anti-dumping measures on certain hot-rolled steel products from Japan. In April 2001, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 23 August 2001, the DSB considered the Appellate Body Report contained in WT/DS184/AB/R and the Panel Report contained in WT/DS184/R pertaining to this matter.

The representatives of Japan, United States, European Communities, India, Chile and Hong Kong, China spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS184/AB/R and the Panel Report contained in WT/DS184/R, as modified by the Appellate Body Report.

At the DSB meeting on 10 September 2001, the representative of the United States informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representative of Japan spoke.

¹⁵ WT/DSB/M/77.

The DSB took note of the statements and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations.

(iv) *Anti-dumping measures on stainless steel plate in coils and stainless steel sheet and strip from Korea (WT/DSB/M/98, 100, 109)*

In November 1999¹⁶, the DSB established a panel to examine the complaint by Korea with regard to US anti-dumping measures on stainless steel plate in coils and stainless steel sheet and strip from Korea.

At its meeting on 1 February 2001, the DSB considered the Panel Report contained in WT/DS179/R pertaining to the complaint by Korea.

The representatives of Korea and the United States spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS179/R.

At the DSB meeting on 1 March 2001, the representative of the United States informed the DSB of her country's intentions to implement the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representatives of Korea and the European Communities spoke.

The DSB took note of the statements and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations.

At the DSB meeting on 10 September 2001, the representative of the United States announced that on 1 September 2001 his country had implemented the DSB's recommendations in this case.

The representative of Korea spoke.

The DSB took note of the statements.

(v) *Continued Dumping and Subsidy Offset Act of 2000 (WT/DSB/M/107, 108, 109)*

At its meeting on 24 July 2001, the DSB considered a joint request by Australia, Brazil, Chile, European Communities, India, Indonesia, Japan, Korea and Thailand for the establishment of a panel to examine their complaint with regard to the US Continued Dumping and Subsidy Offset Act of 2000 (WT/DS217/5).

The representatives of Japan, European Communities, Korea, Australia, Chile, Indonesia, India, Thailand, Brazil, United States, Mexico, Canada, Norway, Argentina and Hong Kong, China spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 23 August 2001, the DSB again considered this matter.

The representatives of Japan, Thailand, Brazil, Indonesia, India, Chile, Korea, European Communities and the United States spoke.

¹⁶ WT/DSB/M/71.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Israel, Mexico, Norway and Hong Kong, China reserved their third-party rights to participate in the Panel's proceedings.¹⁷

Also at its meeting on 23 August 2001, the DSB considered a request by Canada (WT/DS34/12) and a request by Mexico (WT/DS234/13) for the establishment of a panel to examine their complaints with regard to the US Continued Dumping and Subsidy Offset Act of 2001.

The representatives of Canada, Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 10 September 2001, the DSB again considered this matter.

The representatives of Canada, Mexico, United States, Japan and the European Communities spoke.

The DSB took note of the statements and agreed that the requests by Canada and Mexico for the establishment of a panel with standard terms of reference are accepted, and that, as provided for in Article 9 of the DSU in respect of multiple complainants, the panel established on 23 August 2001 to examine the joint complaint by Australia, Brazil, Chile, European Communities, India, Indonesia, Japan, Korea and Thailand contained in document WT/DS217/5 will also examine Canada's complaint contained in document WT/DS234/12 and Mexico's complaint contained in document WT/DS234/13.

The Chairman noted that since a single Panel was established those delegations who had reserved their third-party rights to participate in the Panel established on 23 August 2001 to examine the joint complaint by Australia, Brazil, Chile, EC, India, Indonesia, Japan, Korea and Thailand shall be considered as third parties in the single Panel established at the present meeting. Canada reserved its third-party rights in relation to Mexico's complaint. Mexico reserved its third-party rights in relation to Canada's complaint.¹⁸

(vi) *Countervailing duties on certain corrosion-resistant carbon steel flat products from Germany (WT/DSB/M/108, 109)*

At its meeting on 23 August 2001, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to US countervailing duties on certain corrosion-resistant carbon steel flat products from Germany WT/DS213/3).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

¹⁷ After the meeting Argentina, Canada and Costa Rica reserved their third-party rights to participate in the Panel's proceedings.

¹⁸ After the meeting Australia, Brazil, EC, India, Indonesia, Japan, Korea and Thailand reserved their third-party rights in relation to Canada's and Mexico's complaints.

At its meeting on 10 September 2001, the DSB again considered this matter.

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representative of Japan reserved third-party rights to participate in the Panel's proceedings.¹⁹

- (vii) *Countervailing measures concerning certain products from the European Communities (WT/DSB/M/108, 109)*

At its meeting on 23 August 2001, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to US countervailing measures concerning certain products from the European Communities (WT/DS212/4).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 10 September 2001, the DSB again considered this matter.

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of India and Mexico reserved their third-party rights to participate in the Panel's proceedings.²⁰

- (viii) *Definitive safeguard measures on imports of steel wire rod and circular welded quality line pipe (WT/DSB/M/108, 109)*

At its meeting on 23 August 2001, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to US definitive safeguard measures on imports of steel wire rod and circular welded quality line pipe (WT/DS214/4).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 10 September 2001, the DSB again considered this matter.

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

¹⁹ After the meeting Norway reserved its third-party rights to participate in the Panel's proceedings.

²⁰ After the meeting Brazil reserved its third-party rights to participate in the Panel's proceedings.

The representatives of Canada, Japan and Mexico reserved their third-party rights to participate in the Panel's proceedings.²¹

(ix) *Definitive safeguard measures on imports of wheat gluten from the European Communities (WT/DSB/M/97, 99)*

In July 1999²², the DSB established a panel to examine the complaint by the European Communities with regard to US definitive safeguard measures on imports of wheat gluten from the European Communities. In September 2000, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 19 January 2001, the DSB considered the Appellate Body Report contained in WT/DS166/AB/R and the Panel Report contained in WT/DS166/R pertaining to the complaint by the European Communities.

The representatives of the European Communities, United States, Canada, New Zealand, Australia, Mexico, Japan, Korea, Argentina, Chile, Brazil, Uruguay and Hong Kong, China spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS166/AB/R and the Panel Report contained in WT/DS166/R, as modified by the Appellate Body Report.

At the DSB meeting on 16 February 2001, the representative of the United States informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representative of the European Communities spoke.

The DSB took note of the statements and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations.

(x) *Import measures on certain products from the European Communities (WT/DSB/M/96)*

In June 1999²³, the DSB agreed to establish a panel to examine the complaint by the European Communities with regard to US import measures on certain products from the European Communities. In September 2000, the European Communities notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 10 January 2001, the DSB considered the Appellate Body Report contained in WT/DS165/AB/R and the Panel Report contained WT/DS165/R and Add.1 pertaining to the complaint by the European Communities.

The representatives of the European Communities, United States, Japan, also on behalf of Chile and Colombia, as well as the representatives of Ecuador, Jamaica, Canada, Norway, Switzerland, Korea, New Zealand, Argentina, Saint Lucia and Hong Kong, China spoke.

²¹ After the meeting Argentina and Korea reserved their third-party rights to participate in the Panel's proceedings.

²² WT/DSB/M/65.

²³ WT/DSB/M/64.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS165/AB/R and the Panel Report contained in WT/DS165/R and Add.1, as modified by the Appellate Body Report.

(xi) *Measures treating exports restraints as subsidies (WT/DSB/M/108)*

In September 2000²⁴, the DSB established a panel to examine the complaint by Canada with regard to US measures treating exports restraints as subsidies.

At its meeting on 23 August 2001, the DSB considered the Panel Report contained in WT/DS194/R pertaining to the complaint by Canada.

The representatives of Canada, United States, European Communities and India spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS194/R.

(xii) *Safeguard measures on imports of fresh, chilled or frozen lamb meat from New Zealand and Australia (WT/DSB/M/105 and Corr.1, 106)*

In November 1999²⁵, the DSB established a single panel to examine the complaints by New Zealand and Australia with regard to US safeguard measures on imports of lamb meat. In January 2001, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel.

At its meeting on 16 May 2001, the DSB considered the Appellate Body Report contained in WT/DS177/AB/R – WT/DS178/AB/R and the Panel Report contained in WT/DS177/R – WT/DS178/R pertaining to the complaints by New Zealand and Australia.

The representatives of Australia, New Zealand, United States, Japan, European Communities, Philippines and Hong Kong, China spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS177/AB/R – WT/DS178/AB/R and the Panel Report in WT/DS177/R – WT/DS178/R, as modified by the Appellate Body Report.

At its meeting on 20 June 2001, the representative of the United States informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations on this matter, pursuant to Article 21.3 of the DSU.

The representatives of New Zealand, Australia and the European Communities spoke.

The DSB took note of the statements and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations.

(xiii) *Section 110(5) of the US Copyright Act (WT/DSB/M/107)*

At its meeting on 24 July 2001, the DSB considered the US proposal to extend the reasonable period of time for implementation by the United States of the DSB's recommendations in this case

²⁴ WT/DSB/M/88.

²⁵ WT/DSB/M/71.

until the end of the current session of the US Congress or 31 December 2001, whichever is earlier (WT/DS160/14).

The representatives of the United States, European Communities and Australia spoke.

The DSB took note of the statements and agreed to the US proposal contained in document WT/DS160/14.

(xiv) *Section 129(c)(1) of the Uruguay Round Agreements Act (WT/DSB/M/107,108)*

At its meeting on 24 July 2001, the DSB considered a request by Canada for the establishment of a panel to examine its complaint with regard to Section 129(c)(1) of the Uruguay Round Agreements Act (WT/DS221/4).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 23 August 2001, the DSB again considered this matter.

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU, with standard terms of reference.

The representatives of Chile, European Communities, India and Japan reserved their third-party rights to participate in the Panel's proceedings.

(xv) *Tax treatment for "Foreign Sales Corporations" (WT/DSB/M/93, 95)*

At its meeting on 28 November 2000, the DSB considered a request by the European Communities for the DSB's authorization to impose countermeasures and to suspend concessions against the United States pursuant to Article 4.10 of the SCM Agreement and Article 22.2 of the DSU (WT/DS108/13).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and it was agreed that the matter raised by the United States in document WT/DS108/15 is referred to arbitration as required by Article 22.6 of the DSU.

At its meeting on 20 December 2000, the DSB considered a request by the European Communities under Article 21.5 of the DSU to examine the implementation by the United States of the DSB's recommendations in this case (WT/DS108/16).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel the matter raised by the European Communities in document WT/DS108/16. It was agreed that the Panel would have standard terms of reference.

The representatives of Australia, Canada, India and Japan reserved their third-party rights to participate in the Panel's proceedings.²⁶

8. Surveillance of implementation of recommendations adopted by the DSB

(a) Canada

(i) *Measures affecting the importation of milk and the exportation of dairy products (WT/DSB/M/94, 98)*

At its meeting on 12 December 2000, the DSB considered the status report by Canada on its progress in the implementation of the DSB's recommendations on this matter (WT/DS103/12/Add.5 – WT/DS113/12/Add.5).

The representatives of Canada, New Zealand and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 February 2001, the DSB considered the status report by Canada on its progress in the implementation of the DSB's recommendations on this matter (WT/DS103/12/Add.6 – WT/DS113/12/Add.6).

The representatives of Canada, New Zealand and the United States spoke.

The DSB took note of the statements.

(b) Chile

(i) *Taxes on alcoholic beverages (WT/DSB/M/94, 98, 101)*

At its meeting on 12 December 2000, the DSB considered the status report by Chile on its progress in the implementation of the DSB's recommendations on this matter (WT/DS87/17 – WT/DS110/16).

The representatives of Chile and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 February 2001, the DSB considered the status report by Chile on its progress in the implementation of the DSB's recommendations on this matter (WT/DS87/17/Add.1 – WT/DS110/16/Add.1).

The representatives of Chile and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

²⁶ After the meeting Jamaica reserved its third-party rights to participate in the Panel's proceedings.

At its meeting on 12 March 2001, the DSB considered the status report by Chile on its progress in the implementation of the DSB's recommendations on this matter (WT/DS87/17/Add.2 – WT/DS110/16/Add.2).

The representatives of Chile and the European Communities spoke.

The DSB took note of the statements.

(c) European Communities

(i) *Regime for the importation, sale and distribution of bananas (WT/DSB/M/94, 98, 101, 103, 105 and Corr.1, 106, 107, 110)*

At its meeting on 12 December 2000, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.14).

The representatives of the European Communities, Colombia, Panama, United States, Guatemala, Honduras, Mexico, Ecuador and Jamaica spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 February 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.15).

The representatives of the European Communities, Colombia, United States, Honduras, Guatemala, Panama, Jamaica, Saint Lucia, also on behalf of Dominica, as well as the representatives of Ecuador, Costa Rica, Mexico and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 12 March 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.16).

The representatives of the European Communities, United States, Honduras, Guatemala, Nicaragua, Ecuador, Saint Lucia, also on behalf of Dominica and Saint Vincent and the Grenadines as well as the representatives of Panama, Colombia, Costa Rica and Mexico spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 5 April 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.17).

The representatives of the European Communities, Colombia, Ecuador, Panama, Guatemala, Nicaragua, Honduras, Costa Rica and Saint Lucia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 16 May 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.18). The EC also presented information on its Understandings with Ecuador and the United States on this matter.²⁷

The representatives of the European Communities, United States, Ecuador, Colombia, Jamaica, Panama, Honduras, Guatemala, Costa Rica, Mexico and Saint Lucia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.19).

The representatives of the European Communities, Colombia, United States, Honduras, Guatemala, Ecuador, Costa Rica, Panama, Saint Lucia, also on behalf of Belize, Dominica, Jamaica, St. Vincent and the Grenadines and Suriname as well as the representative of Belize, on behalf of Suriname, and the representatives of Mexico, Mauritius and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 24 July 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.20).

The representatives of the European Communities, Colombia, Belize, United States, Honduras, Costa Rica, Ecuador, Panama, Guatemala, Mexico and Saint Lucia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 25 September 2001, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations on this matter (WT/DS27/51/Add.21).

The representatives of the European Communities, Ecuador, Honduras, United States, Saint Lucia, Panama, Guatemala and Mexico spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

²⁷ These Understandings were subsequently notified in document WT/DS27/58. See also documents WT/DS27/59 and WT/DS27/60.

(d) India

(i) *Quantitative restrictions on imports of agricultural, textile and industrial products (WT/DSB/M/94, 98, 101, 103)*

At its meeting on 12 December 2000, the DSB considered the status report by India on its progress in the implementation of the DSB's recommendations on this matter (WT/DS90/16/Add.4).

The representatives of India and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 February 2001, the DSB considered the status report by India on its progress in the implementation of the DSB's recommendations on this matter (WT/DS90/16/Add.5).

The representatives of India and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 12 March 2001, the DSB considered the status report by India on its progress in the implementation of the DSB's recommendations on this matter (WT/DS90/16/Add.6).

The representatives of India, United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 5 April 2001, the DSB considered the status report by India on its progress in the implementation of the DSB's recommendations on this matter (WT/DS90/16/Add.7).

The representatives of India, United States and the European Communities spoke.

The DSB took note of the statements.

(e) Japan

(i) *Measures affecting agricultural products (WT/DSB/M/94, 98, 101, 103, 105 and Corr.1, 106, 107)*

At its meeting on 12 December 2000, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.10).

The representatives of Japan, United States, European Communities and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 February 2001, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.11).

The representatives of Japan, United States and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 12 March 2001, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.12).

The representatives of Japan, United States, Australia and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 5 April 2001, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.13).

The representatives of Japan, United States and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 16 May 2001, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.14).

The representatives of Japan, United States, Australia and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2001, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.15).

The representatives of Japan, United States, Australia and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 24 July 2001, the DSB considered the status report by Japan on its progress in the implementation of the DSB's recommendations on this matter (WT/DS76/11/Add.16).

The representatives of Japan, United States, Australia and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

(f) Turkey

(i) *Restrictions on imports of textile and clothing products (WT/DSB/M/94, 98, 101, 103, 105 and Corr.1, 106)*

At its meeting on 12 December 2000, the DSB considered the status report by Turkey on its progress in the implementation of the DSB's recommendations on this matter (WT/DS34/12/Add.4).

The representatives of Turkey, India and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 February 2001, the DSB considered the status report by Turkey on its progress in the implementation of the DSB's recommendations on this matter (WT/DS34/12/Add.5).

The representatives of Turkey and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 12 March 2001, the DSB considered the status report by Turkey on its progress in the implementation of the DSB's recommendations on this matter (WT/DS34/12/Add.6).

The representatives of Turkey, India and Hong Kong, China spoke.

The DSB took note of the statements and agreed to revert to this matter at a future meeting.

At its meeting on 5 April 2001, the DSB considered the status report by Turkey on its progress in the implementation of the DSB's recommendations on this matter.

The representatives of Turkey and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 16 May 2001, the DSB considered the status report by Turkey on its progress in the implementation of the DSB's recommendations on this matter (WT/DS34/12/Add.7).

The representatives of Turkey and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2001, the DSB considered the status report by Turkey on its progress in the implementation of the DSB's recommendations on this matter (WT/DS34/12/Add.8).

The representatives of Turkey and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

9. Other matters

- (a) Statement by Panama regarding the European Communities' proposal to modify its banana import regime (WT/DSB/M/95)

At the DSB meeting on 20 December 2000, Panama expressed concern about the decision taken by the EC Council of Ministers to approve a proposal to put into place a banana import regime based on a "first-come, first-served" system.

The representatives of Costa Rica, Guatemala, Honduras, Ecuador, Colombia, Nicaragua, Mexico, Mauritius and the European Communities spoke.

The DSB took note of the statements.

- (b) Statement by Brazil concerning the US Patents Code (WT/DSB/M/98)

At the DSB meeting on 1 February 2001, the representative of Brazil expressed his country's concerns about certain provisions of the US Patents Code. He said that Brazil had requested consultations with the United States on this matter.

The representative of the United States spoke.

The DSB took note of the statements.

- (c) Statement by Argentina concerning the rejection by the United States of Argentina's request to be joined in consultations pursuant to Article 4.11 of the DSU on the case on: "United States – Continued Dumping and Subsidy Offset Act of 2000" (WT/DSB/M/99)

At the DSB meeting on 16 February 2001, the representative of Argentina expressed his country's concern about the US decision to reject Argentina's request under Article 4.11 of the DSU to be joined in the consultations in the case on "United States – Continued Dumping and Subsidy Offset Act of 2000" (WT/DS217).

The representatives of Canada, India, Japan, Brazil, European Communities, United States, Hong Kong, China and the Chairman spoke.

The DSB took note of the statements.

- (d) Statement by Argentina concerning the request by the European Communities for arbitration under Article 21.3(c) of the DSU in the case on "Argentina – Measures Affecting the Export of Bovine Hides and the Import of Finished Leather" (WT/DSB/M/105 and Corr.1)

At its meeting on 16 May 2001, the representative of Argentina made a statement concerning the EC's request for arbitration under Article 21.3(c) of the DSU to determine a reasonable period of time for implementation in this case (WT/DS155/6).

The DSB took note of the statement.

- (e) Statement by the Deputy Director-General concerning Article 5 of the DSU (WT/DSB/M/106)

At the DSB meeting on 20 June 2001, the Deputy Director-General, Mr. A. Stoler, made a statement in relation to procedures of Article 5 of the DSU concerning the use of good offices, conciliation and mediation. He informed Members that the Director-General would issue a note explaining the background of the provision and providing some specific procedures to use in requesting his assistance.²⁸

The DSB took note of the statement.

²⁸ WT/DSB/25.

- (f) Statement by the Chairman concerning an amendment to Rule 5(2) of the Working Procedures for Appellate Review (WT/DSB/M/107)

At the DSB meeting on 24 July 2001, the Chairman recalled that on 13 July 2001 he had sent a fax to delegations containing a memorandum from the Chairman of the Appellate Body concerning an amendment of Rule 5(2) of the Working Procedures for Appellate Review. He said that delegations wishing to express their views on the amendment were invited to do so in writing by 31 July 2001.

The DSB took note of the statement.
